

# United States District Court

WESTERN DISTRICT OF WASHINGTON

MONDO VALDEZ

v.

WASHINGTON STATE PENITENTIARY  
(ADMINISTRATION FROM 2005-2006), et al..

JUDGMENT IN A CIVIL CASE

CASE NUMBER: C10-5407BHS

\_\_\_ **Jury Verdict.** This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

XX **Decision by Court.** This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

THE COURT HAS ORDERED THAT

(1) The Report and Recommendation is **ADOPTED**;

(2) Plaintiff's complaint is **DISMISSED without prejudice** for failure to state a claim as a matter of law under 42 U.S.C. § 1983; and

(3) This dismissal is counted as a **STRIKE** pursuant to 28 U.S.C. § 1915(g).

November 15, 2010  
Date

BRUCE RIFKIN  
Clerk

s/CM Gonzalez  
Deputy Clerk